



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/580,753

Applicant: Duggan, et al.

Filed: May 26, 2006

TC/AU: Unassigned

Examiner: Unassigned

Docket No.: 252805 (Client Reference No. P3184 US CH2)

Customer No.: 23460

Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Dear Sir

Applicants hereby respond to the Notification of Missing Requirements Under 35 U.S.C. 371, dated November 3, 2006.

The items checked below are appropriate:

**1. Status of Applicant**This application is on behalf of ☐ other than a small entity or ☒ a small entity.***CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8***

I hereby certify that this Response and all accompanying documents are, on the date indicated below, ☒ being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or ☐ being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (571) 273-8300.

Name (Print/Type)	Kenneth P. Spina		
Signature	<i>Kenn Spina</i>	Date	November 27, 2006

**2. Documents Submitted Herewith**

- a. ☒ Executed Declaration of inventors
- b. ☐ Nucleotide and/or Amino Acid Sequence Submission:
  - i. ☐ Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1) ☐ CD-ROM or CD-R (2 copies); or
    - (2) ☐ Paper Copy
  - iii. ☐ Statement verifying identity of above copies
- c. ☐ Verified English translation of application
- d. ☒ Copy of the Notification of Missing Requirements Under 35 U.S.C. 371, dated November 3, 2006
- e. ☐ Substitute Drawings
- f. ☐ Other:

**3. Application Filing Fee**

- a. ☒ No application filing fee due
- b. ☐ Application filing fee due in amount calculated below:

BASIC FEE (\$300 FILING FEE + \$200 EXAMINATION FEE + \$500 SEARCH FEE)				\$1,000.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	– 20 =		x \$50.00	\$
Independent Claims	– 3 =		x \$200.00	\$
<input type="checkbox"/> Multiple Dependent Claim(s) if applicable			+ \$360.00	\$
<input type="checkbox"/> Application Size Fee (\$250 for each additional 50 sheets over 100)				\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$( )
Fee Already Paid =				\$
Fee Due =				\$

**4. Late Filing of Oath or Declaration Surcharge**

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  
☐ other than a small entity or ☒ a small entity.

**Fee Due** \$ 65.00

**5.. Non-English Specification Surcharge**

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

**6. (Provisional only) Surcharge for Late Submission**

Pursuant to 37 CFR 1.16(g), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

7. **Extension of Time**

- ☐ Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☒ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

**Fee Due**      \$

8. **Total Fee Due**

The total fee due is:

Application Filing Fee	
Late Filing of Declaration Surcharge	\$ 65.00
Non-English Specification Surcharge	\$ 0.00
(Provisional only) Surcharge for Late Submission	\$ 0.00
Extension of Time Fee	\$ 0.00

**Total Fee Due: \$65.00**

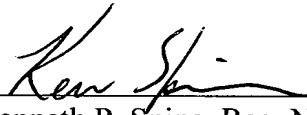
9. **Fee Payment**

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$65.00. A duplicate of this transmittal is attached.

10. **Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

12/04/2006 ATRAN1 00000127 121216 10580753  
01 FC:2617 65.00 DA

  
Kenneth P. Spina, Reg. No. 43,927  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6731  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: November 27, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/580,753	FIRST NAMED APPLICANT Alex Duggan	ATTY. DOCKET NO. 252805
---	--------------------------------------	----------------------------

INTERNATIONAL APPLICATION NO. PCT/GB04/05010	
I.A. FILING DATE 11/29/2004	PRIORITY DATE 11/29/2003

23460  
 LEYDIG VOIT & MAYER, LTD  
 TWO PRUDENTIAL PLAZA, SUITE 4900  
 180 NORTH STETSON AVENUE  
 CHICAGO, IL 60601-6731

CONFIRMATION NO. 8872

371 FORMALITIES LETTER



\*OC000000021104941\*

Date Mailed: 11/03/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/26/2006
- Copy of the International Search Report filed on 05/26/2006
- Preliminary Amendments filed on 05/26/2006
- Information Disclosure Statements filed on 07/14/2006
- U.S. Basic National Fees filed on 05/26/2006
- Priority Documents filed on 05/26/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

LEYDIG, VOIT & MAYER  
 RECEIVED

NOV 08 2006

PAY/TM Due Date 1-3-07

6-3-07

final

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/580,753	PCT/GB04/05010	252805